

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I declare that:

My residence, post office address and citizenship are as stated below next to my name; I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: **BIOLOGICALLY ACTIVE METAL-CONTAINING NUCLEIC ACIDS**, the specification of which X is attached hereto or ____ was filed on January 31, 2002 as Application No. _____ and was amended on _____ (if applicable).

I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56. I claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Country	Application No.	Date of Filing	Priority Claimed Under 35 USC 119

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

Application No.	Filing Date
60/292,881	May 24, 2001

I claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application No.	Date of Filing	Status
09/213,052	December 16, 1998	Pending

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. **The registered attorneys and agents associated with PTO Customer No. 20350, including:** Steven W. Parmelee, Reg. No. 31,990; Brian W. Poor, Reg. No. 32,928; Mark G. Sandbaken, Reg. No. 39,354; William B. Kezer, Reg. No. 37,369 and Brian G. Kingwell, Reg. No. 39,482.

Send Correspondence to:
Steven W. Parmelee
TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, 8th Floor
San Francisco, California 94111-3834

Direct Telephone Calls to:
 (Name, Reg. No., Telephone No.)
 Name: Steven W. Parmelee
 Reg. No.: 31,990
 Telephone: 206-467-9600

